

1 LARIVIERE, GRUBMAN & PAYNE, LLP
2 Robert W. Payne, Esq. (CA Bar No. 073901)
3 Nicole A. Smith, Esq. (CA Bar No. 243823)
4 19 Upper Ragsdale Drive, Suite 200
5 P.O. Box 3140
6 Monterey, CA 93942-3140
7 Telephone: (831) 649-8800
8 Facsimile: (831) 649-8835
9
10 Attorneys for Plaintiff
11 MONSTER CABLE PRODUCTS, INC.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MONSTER CABLE PRODUCTS, INC.) No. 3:07-cv-03272-SI
a California corporation,)
Plaintiff,) REQUEST FOR AND [PROPOSED] ORDER
vs.) OF DISMISSAL WITH PREJUDICE
MONSTER DADDY LLC, a corporation, and)
DOES ONE through TWENTY inclusive,)
Defendant.)

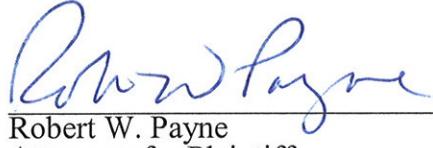
The Plaintiff, MONSTER CABLE PRODUCTS, INC., pursuant to Fed.R.Civ.P. 41(a)(1), having previously filed its Notice of Dismissal, dismissing all claims in this action without prejudice, and pursuant to the request by Defendant therefor, hereby requests that the Court order dismissal of the action WITH PREJUDICE, each party to bear its own costs, expenses and attorneys' fees.

1
2 Dated: July 25, 2008

3 Respectfully Submitted,

5 LARIVIERE, GRUBMAN & PAYNE, LLP

6 By:
7
8
9


Robert W. Payne
Attorneys for Plaintiff
MONSTER CABLE PRODUCTS, INC.

10
11
12
13 ORDER

14 Plaintiff having so requested, and Defendant not having appeared in this action, and good
15 cause appearing therefor,

16 IT IS SO ORDERED.
17

18 Dated: _____
19
20
21
22
23
24
25
26
27



HONORABLE JUDGE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I am over 18 years of age and not a party to the within action. My business address is 19
3 Upper Ragsdale Drive, Suite 200, Monterey, California, 93940. On July 25, 2008, I served the
4 following document:

5 **REQUEST FOR AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE**
6 by placing a true copy thereof enclosed in a sealed envelope and served in the manner described
7 below to the interested parties herein and addressed to:

8 James Carter
9 Monster Daddy, LLC
P.O. Box 26855
Greenville, SC 29616

10 Monster Daddy, LLC
11 13 Ridgeland Drive
Greenville, SC 29601

12 Scott Creasman, Esq.
13 Taylor, Busch, Slipakoff & Duma, LLP
1600 Parkwood Circle, Suite 200
Atlanta, GA 30339

15 X **U.S. MAIL:** I caused such envelope(s) to be deposited in the mail at my business address,
16 with postage thereon fully prepaid, addressed to the addressee(s) designated. I am readily
17 familiar with the business' practice of collecting and processing correspondence to be
deposited with the United States Postal Service on that same day in the ordinary course of
business.

18 **HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the addressee(s)
designated.

20 **BY FACSIMILE:** By use of facsimile machine telephone number (***) ***-****, I served
21 a copy of the within document on the below parties at the facsimile number listed. The
transmission was reported as complete and without error.

22 X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court
at whose direction the service was made.

24 Executed on July 25, 2008, at Monterey, California.

25 
26 Cheryl Bilgin
Paralegal